

TRADING PARTNER AGREEMENT POLICY

RESPONSIBILITY: Designated Attorney or Designee(s)

BACKGROUND:

Behavioral Health and Health Facilities (BHHF) exchanges protected health information electronically with other organizations for the purposes of conducting transactions. These other parties are known as “trading partners.” For instance, health plans with which BHHF conducts electronic transactions are trading partners. It is important to have assurances that the parties receiving and/or transmitting this information will protect the security and privacy of the information. Agreements with trading partners are intended to define the duties and responsibilities of each party to the agreement in conducting an electronic transaction. The agreements may require that one or both parties certify that the information transmitted is in the formats adopted for standard transactions using the standard data elements, as required by the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).

HIPAA standard formats apply to the following electronic transactions:

- (1) Health care claims or equivalent encounter information
- (2) Health care payment and remittance advice
- (3) Coordination of benefits
- (4) Health care claim status
- (5) Enrollment and disenrollment in a health plan
- (6) Eligibility for a health plan
- (7) Health plan premium payments
- (8) Referral certification and authorization
- (9) First report of injury
- (10) Health claims attachments
- (11) Other transactions that the Secretary HHS may prescribe by regulation

POLICY:

BHHF may maintain current trading partner agreements with all organizations or individuals with which there is an exchange of protected health information by electronic means. These agreements include assurances that all information traded between partners will be safeguarded and remain confidential according to the requirements of BHHF’s security standards.

In addition, these agreements will include assurances that data exchanged for the purpose of conducting a HIPAA standard transaction (see DEFINITIONS) will not be modified in any way from the standard set forth in the regulations and implementation guides.

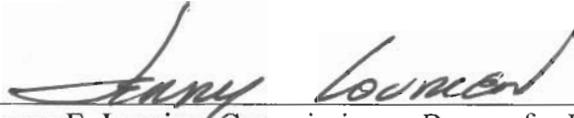
Trading partner agreements may not contain any provision that would:

1. Change the definition, data condition, or use of a data element or segment in a standard;

2. Add any data elements or segments to the maximum defined data set.
3. Use any code or data elements that are either marked “not used” in the standard’s implementation specification or are not in the standard’s implementation specification(s).
4. Change the meaning or intent of the standard’s implementation specifications(s).

Effective Date: 4/14/03

Revised Dates:



Jerome E. Lovrien, Commissioner, Bureau for Behavioral Health and Health Facilities